

REMARKS

Status of Claims:

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 12 and 13 are added. Thus, claims 1-13 remain for examination.

Claim Objections:

The objections specified in paragraph 1 of the outstanding office action have been corrected by an appropriate amendment to the relevant claims as requested by the examiner.

Allowed Claims:

Claims 2-4 and 6-11 are allowed.

Rejected Claims 1 and 5:

Applicant has amended independent claim 1 to include the recitations indicated as being the basis for allowability of claim 3 as stated in paragraph 5 of the outstanding office action. Moreover, claim 1 has been revised so that it is no longer in means plus function format thus serving to distinguish this claim from claim 3. As such, claim 1 is deemed to be allowable.

Claim 5 has been amended to include therein storing of the scheduled end time, an analog method step to the storage means recited in allowed apparatus claim 3. It is thus submitted that method claim 5 is allowable.

New Claims 12 and 13:

Newly submitted claims 12 and 13 are the non-means plus function forms of allowed claims 2 and 4 respectively. It is thus submitted that these new claims are allowable at least for the same reasons applicable to claims 2 and 4.

Conclusions:


Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 2, 2004

By 

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5407

Facsimile: (202) 672-5399

David A. Blumenthal

Attorney for Applicant

Registration No. 26,257